

Message

From: Doyle, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1B7C5B6B63B54E1CB4044A0A8CE993A6-DOYLE, JAMES]
Sent: 4/12/2019 10:16:47 PM
To: Sachs, Joel H. [JSachs@kblaw.com]
CC: nward-willis@kblaw.com; Ludmer, Margo [ludmer.margo@epa.gov]
Subject: FW: Cannistra Realty, LLC
Attachments: cannistra realty letter re uao conference 04-11-2019.pdf; cannistra realty uao conference sign-in sheet 04-04-2019.pdf

Mr. Sachs, immediately below, please find the text of your 4:01PM message (today) to Ms. Ludmer, and, below that, I am forwarding a copy of the email message from Mr. Burke to, inter alia, Mr. Ward-Willis (which was apparently not addressed to you). Also find Mr. Burke's letter, alluded to in his email, attached.

Mr. Burke's letter speaks for itself. But in response to your message, Mr. Burke states that he conferred on April 11 (the date you mention) with the EPA official with the delegated authority to issue the order, but be advised that the official in question is the Director of the Emergency and Remedial Response Division, not the Regional Administrator. Mr. Burke thereafter sent out the message to Mr. Ward-Willis. He was perhaps not made aware that he should also cc: you on the email.

I hope this email clarifies the situation.

Your message:

Margo-Nick is out of the Country this week and back in office on Monday . I am out of the office until April 19. Your letter refers to a determination by EPAAttorney Burke made after the after the April 4 conference. We have never seen any such determination. Moreover I thought the determination needed to be approved by the RA who you advised Nick was not available until April 11.

So as of now we are not aware of the RA's determination.Nick advised me that the conference went well and believed that the EPA was prepared to make certain reasonable accommodations to our client's concerns.

Kindly clarify this situation ASAP. Joel.

Sent from my iPhone

Joel H. Sachs
Senior Counsel

From: Burke, Gerard
Sent: Thursday, April 11, 2019 3:23 PM
To: nward-willis@kblaw.com; Ludmer, Margo <ludmer.margo@epa.gov>
Cc: Doyle, James <Doyle.James@epa.gov>
Subject: Cannistra Realty, LLC

Counsel:

Please see the attached letter.

Gerard Burke
Assistant Regional Counsel

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